

No 54362

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JAN 22 1990

Returned to applicant for correction

Correction application filed

Map filed JAN 22 1990

The applicant Asa W. & Ruth E. Kelley

P.O. Box 1283, of Tonopah
Street and No. or P.O. Box No. City or Town

Nevada 89049, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 2.0 c.f.s. second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for irrigation
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated: 82.90 acres.

(b) Stockwater, state number and kinds of animals to be watered:

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: in the NE 1/4 NE 1/4 of Section 21, T.8N., R.42E., M.D.B. & M., whence the NW corner of said Section 21 bears N.87°42'W., 4,350.0 feet distant.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

6. Place of use in the E 1/2 NE 1/4 of Section 21, T.8N., R.42E., M.D.B. & M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will be begin about January 1st and end about December 31st, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) It is proposed to drill, case and equip an underground well for irrigation purposes.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$10,000.00

10. Estimated time required to construct works.....3 years.....
If well completed, describe works.
11. Estimated time required to complete the application of water to beneficial use.....5 years.....
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

s/Wallace T. Boundy
 By Wallace T. Boundy, Agent
 P.O. Box 242
 Tonopah, NV 89049

Compared pm/se.....am/vjw.....

Protested.....

.....APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A substantial weir or other type of measuring device must be installed and measurements of water use kept. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and

not to exceed.....1.0.....cubic feet per second.....but not to exceed 118.24
 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of
 land irrigated from any and/or all sources.....

Work must be prosecuted with reasonable diligence and be completed on or before.....November 8, 1992.....

Proof of completion of work shall be filed before.....December 8, 1992.....

Application of water to beneficial use shall be filed on or before.....November 8, 1993.....

Proof of the application of water to beneficial use shall be filed on or before.....December 8, 1993.....

Map in support of proof of beneficial use shall be filed on or before.....N/A.....

Completion of work filed.....JAN 05 1996..... IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed.....FEB 02 1998..... my office, this 10th day of October

Cultural map filed.....

Certificate No. 14937 Issued JUN 02 1998 D. 1990

(PERMIT TERMS CONTINUED)

This permit is limited to the irrigation of 29.56 acres with the E 1/2 NE 1/4, Section 21, T.8 N., R.42 E. which is a portion of the acreage irrigated under the place of use Permit 51404.

The total combined duty under a portion of Permit 51404 and Permit 54362 shall not exceed 118.24 acre-feet annually.

Rescinded

Nº 54362

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